

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BLACK LIVES MATTER SEATTLE-KING
COUNTY, ABIE EKENEZAR, SHARON
SAKAMOTO, MURACO KYASHNA-
TOCHA, ALEXANDER WOLDEAB,
NATHALIE GRAHAM, AND ALEXANDRA
CHEN,

Plaintiffs,

vs.

CITY OF SEATTLE,

Defendant.

No. 2:20-CV-00887

DECLARATION OF GHAZAL SHARIFI
IN SUPPORT OF DEFENDANT CITY OF
SEATTLE'S NOTICE OF INTENT TO
FILE A RESPONSE TO PLAINTIFFS'
MOTION FOR TEMPORARY
RESTRAINING ORDER

I, Ghazal Sharifi, being over the age of 18 and competent to testify, declare that

- (1) Around noon on June 9, 2020, City Attorney Pete Holmes and the City Clerk received a phone call with a follow-up subsequent e-mail from counsel for Plaintiffs, David Perez notifying the City of the intended Temporary Restraining Order ("TRO") and asking for a possible stipulation.
- (2) A true and correct copy of the June 9, 2020 11:58 a.m. transmittal e-mail from David Perez is attached hereto as **Exhibit 1**.

DECLARATION OF GHAZAL SHARIFI IN SUPPORT OF DEFENDANT
CITY OF SEATTLE'S NOTICE OF INTENT TO FILE A RESPONSE TO
PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER
(20-cv-00887RAJ) - 1

Peter S. Holmes
Seattle City Attorney
701 5th Avenue, Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

- 1 (3) At 12:49 p.m. on June 9, 2020, the undersigned counsel e-mailed Mr. Perez asking for specific
2 language that Plaintiffs propose for a stipulated TRO. A true and correct copy of the 12:49
3 p.m. e-mail is attached hereto as **Exhibit 2**.
- 4 (4) At 2:44 p.m., Mr. Perez responded to the undersigned counsel with proposed language. A true
5 and correct copy of the 2:44 p.m. e-mail is attached hereto as **Exhibit 3**.
- 6 (5) At 3:03 p.m., Mr. Perez send a follow-up e-mail with a corrected recipient list. A true and
7 correct copy of the 3:03 p.m. e-mail is attached hereto as **Exhibit 4**.
- 8 (6) At 3:29 p.m., the undersigned counsel responded to Mr. Perez’s 3:03 p.m. correspondence
9 asking for time to confer with City clients regarding the proposed language. A true and correct
10 copy of the 3:29 p.m. e-mail is attached hereto as **Exhibit 5**.
- 11 (7) At 3:30 p.m., Mr. Perez e-mailed a follow-up with his cell number. A true and correct copy
12 of the 3:30 p.m. e-mail is attached hereto as **Exhibit 6**.
- 13 (8) At 5:04 p.m., the undersigned counsel sent Mr. Perez an e-mail adopting most of the proposed
14 language presented by Plaintiffs, and adding a sentence explained via e-mail correspondence.
15 In that correspondence, the undersigned counsel notes: “[w]e accepted most of your language
16 – our proposal is in italics below. We added in an additional element to enable officers to
17 protect individuals from physical harm. This is consistent with other similar TROs. Please let
18 us know your thoughts. Happy to discuss further.” A true and correct copy of the 5:04 p.m.
19 e-mail is attached hereto as **Exhibit 7**.
- 20 (9) At 5:06 p.m., the undersigned counsel got a “read receipt” confirmation from Mr. Perez. A
21 true and correct copy of the 5:06 p.m. read receipt is attached hereto as **Exhibit 8**.
- 22
23

(10) A true and correct copy of the decision of the United States District Court for the District of Colorado in *Agazi Abay, et al., v. City and County of Denver*, 20-CV-1616-RBJ, (June 5, 2020) is attached hereto as **Exhibit 9**.

(11) A true and correct copy of the decision of the United States District Court for the District of Minnesota in *Jared Goyette, et al. v. City of Minneapolis, et al.*, 20-cv-01302-WMW-DTS, (June 9, 2020) is attached hereto as **Exhibit 10**.

(12) A true and correct copy of the decision of the United States District Court for the District of Oregon in *Don't Shoot Portland, et al. v. City of Portland*, 20-cv-00917-HZ (June 9, 2020) is attached hereto as **Exhibit 11**.

(13) The attorneys of record for the City did not receive any further communication from Plaintiff's counsel before the 8:36 p.m. filing of the TRO and supporting materials.

(14) In his declaration, Mr. Perez states, "the City did not indicate whether they oppose the relief sought" in Plaintiffs' TRO. (Dkt. 7, ¶ 2). Mr. Perez never provided the City any further opportunity to discuss before the filing of the TRO.

DATED this 10th day of June, 2020.

By: /s/ Ghazal Sharifi
Ghazal Sharifi, WSBA# 47750